

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH  
BENEFITS FUND, PIRELLI ARMSTRONG  
RETIREE MEDICAL BENEFITS TRUST;  
TEAMSTERS HEALTH & WELFARE FUND  
OF PHILADELPHIA AND VICINITY;  
PHILADELPHIA FEDERATION OF  
TEACHERS HEALTH AND WELFARE  
FUND; DISTRICT COUNCIL 37, AFSCME -  
HEALTH & SECURITY PLAN; JUNE  
SWAN; BERNARD GORTER, SHELLY  
CAMPBELL and CONSTANCE JORDAN

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri  
corporation; and McKESSON  
CORPORATION, a Delaware corporation,

Defendants.

C.A. No. 1:05-CV-11148-PBS

**NOTICE OF PRIOR SUBMISSIONS REGARDING CONTROLLING STATE LAW**

For the Court's convenience, the parties identify the previously filed briefs on the class certification issues raised by plaintiffs' state law claims:

Date	Docket No.	Document
07/17/2006	73	Plaintiffs' Motion for a Determination of Controlling State Law
07/17/2006	74	Plaintiffs' Memorandum in Support of a Motion for a Determination of Applicable State Law
01/24/2007	189	Defendant McKesson Corporation's Memorandum in Opposition to Plaintiffs' Motion for a Determination of Applicable State Law

Date	Docket No.	Document
03/19/2007	216	Plaintiffs' Reply in Support of Motion for Class Certification <sup>1</sup>
05/07/2007	247	McKesson Corporation's Surreply in Opposition to Class Certification

Dated: March 26, 2008

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<sup>1</sup> On January 31, 2007, after the parties had submitted briefs on the issue, the Court struck Plaintiffs' Motion for a Determination of Controlling State Law, advising the parties that "there is no need for a separate motion. I will determine choice of law in the context of class certification." Plaintiffs and McKesson then addressed the issue in their reply and surreply briefs respectively.

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on March 26, 2008.

**/s/ Steve W. Berman**

Steve W. Berman